

201 KAR 36:080. Inactive and retired licensure status.

RELATES TO: KRS 335.515(9)

STATUTORY AUTHORITY: KRS 335.515(3), (9)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.515(3) requires the board to promulgate administrative regulations to carry out and enforce the provisions of KRS 335.500 to 335.599. KRS 335.515(9) authorizes the board to grant retired or inactive status to a credential holder under the conditions set forth by administrative regulation. This administrative regulation establishes the requirements for retired and inactive licensure status.

Section 1. Inactive licensure status may be granted to a licensed professional clinical counselor and a licensed professional counselor associate pursuant to KRS 335.515(9) upon written request to the board. (1) The licensee shall be relieved of his or her obligation to pay the renewal fee, but shall meet the requirements for continuing education as established in 201 KAR 36:030.

(2) The licensee may return to active status within three (3) years of being granted inactive licensure status upon:

- (a) Written notification to the board;
- (b) Payment of the current renewal fee as set forth in 201 KAR 36:020; and
- (c) Demonstration of compliance with all continuing education requirements, as established in 201 KAR 36:030, for each year during the period of inactive licensure status.

(3)(a) If the licensee does not reactivate his or her license before the third anniversary date of the granting of inactive licensure status, then the license shall be forfeited.

(b) Following forfeiture of a license under the provisions of this subsection, any person desiring to practice professional counseling in the Commonwealth of Kentucky shall:

1. File with the board a new Application for Licensed Professional Clinical Counselor and Licensing Via Endorsement for Reciprocity, or Application for Licensed Professional Counselor Associate, as incorporated by reference in 201 KAR 36:070;

2. Pay the initial fees for application and licensure as established in 201 KAR 36:020; and

3. Meet current requirements for initial licensure, as established by statute and administrative regulation.

Section 2. Retired status may be granted to a licensed professional clinical counselor and a licensed professional counselor associate pursuant to KRS 335.515(9) upon written request to the board.

(1) A licensee may be granted retired status if that individual:

- (a) Is at least sixty-five (65) years old;
- (b) Has requested retired status at the beginning of the license renewal period; and
- (c) Has retired from practice in all jurisdictions and is not conducting an active practice in any jurisdiction.

(2) A licensee who has been granted retired status shall not be required to meet the continuing education requirements under 201 KAR 36:030.

(3) The licensee shall be relieved of the obligation to pay the renewal fee.

(4) Following the retirement of a license under the provisions of this subsection, any person desiring to practice professional counseling in the Commonwealth of Kentucky shall:

(a) File with the board a new Application for Licensed Professional Clinical Counselor and Licensing Via Endorsement for Reciprocity, or Application for Licensed Professional Counselor Associate, as incorporated by reference in 201 KAR 36:070;

(b) Pay the initial fees for application and licensure as established in 201 KAR 36:020; and

(c) Meet current requirements for initial licensure, as established by statute and administrative regulation, including retaking the examination. (41 Ky.R. 337; Am. 1312; eff. 12-17-2014.)